



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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LITIGATION BUREAU

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August 12, 2021

**By ECF**

The Honorable Alvin K. Hellerstein  
United States District Judge  
United States Courthouse  
500 Pearl St.  
New York, New York 10007

So ordered,  
/s/ Alvin K. Hellerstein  
Alvin K. Hellerstein  
8/13/21

RE: *Everest Foods, Inc. et al., v. Cuomo et al.*, No. 21-CV-06316 (AKH)

Dear Judge Hellerstein:

This Office represents Governor Andrew M. Cuomo in the above-captioned case. Governor Cuomo was served on July 29, 2021, and his answer deadline is therefore August 19, 2021. ECF 17. I write to respectfully request that the August 19, 2021 deadline for responding to the Plaintiffs' complaint be extended to September 30, 2021—an extension of six weeks.

This Office first received a copy of the complaint in this action on August 10, 2021. The Governor expects to file a motion to dismiss for failure to state a claim. However, it will take time to fully research and respond to the claims asserted, which include claims of alleged procedural and substantive due process violations, alleged denial of equal protection, alleged regulatory taking, and the alleged violation of the Contracts Clause, all of which have been asserted by twelve different Plaintiffs. This is Governor Cuomo's first request for an extension of his deadline to respond to the complaint. Plaintiff consents to this request.

Thank you for your time and attention to this matter.

Respectfully submitted,

/s/ Matthew J. Lawson

Matthew J. Lawson  
Assistant Attorney General

cc: Michele M. Bowman, Esq. (via ECF)